

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

LATASHA HOLLOWAY,
*in her Capacity as the Mother and
Next Friend of E.C., Q.C., and GH, Minors,*

Plaintiff,

v.

ACTION NO. 2:19cv104

VIRGINIA BEACH PUBLIC
SCHOOL BOARD, *et al.*,

Defendants.

ORDER

Plaintiff Latasha Holloway (“Ms. Holloway”) initiated this *pro se* action in her capacity as the Mother and Next Friend of her minor children, to redress alleged violations of her children’s rights that occurred at Rosemont Elementary School. In an Order to Show Cause dated May 26, 2020, the Court explained that Ms. Holloway, who is not a licensed attorney, cannot represent the interests of her minor children on a *pro se* basis. Order Show Cause at 4–5, ECF No. 16. Ms. Holloway subsequently filed two motions (collectively “Motions to Appoint Counsel”), in which she asks the Court to appoint her counsel in this action. Mots. Appoint Counsel, ECF Nos. 17, 19.

Upon review, the Court determines that the appointment of counsel is warranted in this action. Accordingly, Ms. Holloway’s Motions to Appoint Counsel, ECF Nos. 17 and 19, are **GRANTED**. Attorneys Jennifer Eaton and Dustin Paul of Vandeventer Black LLP are hereby **APPOINTED** to represent Ms. Holloway in

further proceedings in this matter. The Clerk is **DIRECTED** to add Ms. Eaton and Mr. Paul to the docket in this matter as counsel for Ms. Holloway.

The Court is mindful of the time and effort that will be needed for Ms. Eaton and Mr. Paul to familiarize themselves with the case and develop legal strategies. Additionally, the Court recognizes that Ms. Holloway may wish to amend the operative complaint in this action based on the legal input of her newly-appointed counsel. Accordingly, Ms. Holloway is **GRANTED** leave to file a Second Amended Complaint¹ within sixty days from the date of entry of this Order.

Additionally, the Court notes that Defendants have not yet been served in this matter. The Court previously granted Ms. Holloway authorization to proceed *in forma pauperis* in this action. Order, ECF No. 3. The Court is responsible for coordinating the service of process (or waiver thereof) on the named Defendants. *See* 28 U.S.C. § 1915(d) (explaining that “[t]he officers of the court shall issue and serve all process” when a plaintiff is granted *in forma pauperis* status). Accordingly, upon receipt of Ms. Holloway’s Second Amended Complaint, the Clerk is **DIRECTED** to prepare a Notice of Lawsuit and Waiver of Service form. A copy of the Second Amended Complaint, the Notice of Lawsuit, and two copies of the Waiver of Service form shall be sent to each Defendant at the addresses provided by Ms. Holloway or her counsel. If any Defendant fails to waive service, the Clerk is **DIRECTED** to (i) issue a summons, (ii) prepare a packet containing a summons, a copy of the Second Amended

¹ The Court notes that Ms. Holloway previously filed documents in this Court titled, “Amended Complaint.” *See* ECF Nos. 15, 21. To minimize confusion, Ms. Holloway should identify her next complaint as her “Second Amended Complaint.”

Complaint, and this Order, and (iii) deliver the packet to the United States Marshal, who is **DIRECTED** to serve the packet upon any Defendant who fails to waive service.

In addition to the instructions listed above, the Clerk is **DIRECTED** to send a copy of this Order to Ms. Holloway, record Ms. Holloway's Motions to Appoint Counsel (ECF Nos. 17 and 19) as **GRANTED**, and to docket this Order in the Court's electronic filing system.

IT IS SO ORDERED.

March 4, 2021
Norfolk, Virginia

/s/
Arenda L. Wright Allen
United States District Judge